



Office of Special Education Policies, Procedures, and Practices Checklists for Disproportionality

THE FOLLOWING PAGES ARE REQUIRED FOR EACH STUDENT

Placement Policy and Procedure Review

Checklist Items

- School superintendent or designee selects the team members to conduct the review. The Self-Assessment team should include the school superintendent, the Director of Special Education, and others.
- Conduct an initial meeting of the Self-Assessment team to discuss timelines for the review and the process to collect the required information. Review the required district steps for the district's disproportionate determination (page 2).
- Gather applicable policies, procedures, and evidence of practices to complete the policy, procedure, and practice (PPP) review.
- Review and complete the applicable PPP items for each section (i.e., determine whether there is evidence that supports compliance or, if not a regulatory requirement, whether the item evidence is appropriate and prevents disproportionality).
- Describe how the district implements the policies and procedures reviewed. Identify discrepancies between policies and procedures and practices.
- Identify other sources of data and information that must be reviewed. Select appropriate samples to support documentation and evidence of components.
- Complete the required steps for disproportionate determinations (page 2)
- Discuss findings with the Self-Assessment team.
- Analyze the data and identify appropriate action steps to address improvement areas. Use an action plan to outline pertinent actions necessary to address disproportionality.
- Turn in required items (the PPP checklists for Disproportionality) and request any needed technical assistance from NDE. Districts shall maintain documentation of its review for a period of 7 years. This documentation is subject to additional review by NDE and, therefore, should be maintained in an easily retrievable and organized manner.

Individuals with Disabilities Education Act: Statutes and implementing regulations can be found here: <https://sites.ed.gov/idea/statuteregulations/#statute>

Nebraska's Rule 51: Regulations and Standards for Special Education Programs can be found here: <http://govdocs.nebraska.gov/epubs/E2000/R092.0051-2017.pdf>



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Disproportionality Determination(s)

■ Placement

Disproportionality Determination(s)

Significant Disproportionality Area(s):

Setting(s): _____

Race/Ethnicity: _____

Required Steps for Significant Disproportionality

1. Review PPP for Placement
2. Student Assistance Team (SAT) or comparable problem-solving team process
3. Student Record Review: Placement
4. Success Gaps Toolkit (Required for all, facilitated for Zone 4 and significant disproportionality)
5. Action Plan (for findings of significant disproportionality only)

Documentation to Support Compliance Ratings

Look at:

- Eligibility Report
- IEP documentation to support placement discussion
- Data Profile provided by state
- Data Analysis of Student Referrals, disaggregated by race/ethnicity
- Student Records Review Form: Placement
- Building-level scheduling procedures
- Student schedules
- Teacher/Support staff schedules

Evidence to Consider

Look for evidence that:

- Written procedures give direction for adherence to each component of the Least Restrictive Environment (LRE) Rule
- School personnel can explain rationales for educational program placement, which is individualized to meet the student's needs
- Special education and general education teachers collaborate about their students' needs
- Building-level administrators create school-wide class schedules that meet the needs of students with disabilities (e.g., schedule special education students first)
- Student schedules reflect services on the IEP
- Teacher/Support Staff schedules reflect common planning times for general and special education teachers
- All of these factors are equally available to students from the disproportionate group

Documentation or Evidence not to Include

Look at:

- Anecdotal evidence for individual children
- Outdated policies and procedures or data
- Informal policies and procedures that have not been formally adopted by the district
- Personally Identifiable Information (PII)



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Provide a list of the evidence and documentation you will present to NDE to support the compliance rating:



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Focus Area | Placement

Description: Review your district’s written procedures for placement. Determine if administrators and teachers are complying with all the components of the state and federal placement rule and regulations. Determine if students with disabilities of all racial and ethnic groups, and particularly students of the identified group(s), are placed equitably. Upon completion of your self-assessment in this area, NDE will examine all documentation supporting your ratings and will make a final decision regarding compliance. Complete the following checklist in the applicable district columns/row pertaining to placement procedures and gather the evidence to support your answers.

Placement: 92 Neb. Admin. Code § 51-008.01 ; 34 C.F.R. §§ 300.114–.116 .		District: There is evidence of compliance
1*	The district has written policy that is consistent with the state and federal Placement and LRE Rule.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2*	The district has written procedures for implementation of the LRE Rule.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3	The district provides high quality, sustained professional learning activities on the written procedures for appropriate district and school personnel to assist with the implementation of the LRE Rule.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4*	The district provides sustained supervision to monitor the implementation of compliant practices for the LRE Rule.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5*	The district ensures that every Individualized Education Program (IEP) Team meaningfully considers various support systems and activities that could be used to assist children with disabilities (CWD) to be educated successfully in general education classes prior to the consideration of pullout special education services.	<input type="checkbox"/> Yes <input type="checkbox"/> No
6*	The district ensures that special education teachers provide support to general education teachers in a variety of ways such as consultation, implementation of accommodations or modifications, or co-teaching.	<input type="checkbox"/> Yes <input type="checkbox"/> No

*Compliance item.



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Placement: 92 Neb. Admin. Code § 51-008.01 ; 34 C.F.R. §§ 300.114–.116 .		District: There is evidence of compliance
7*	The district ensures that a continuum of alternative placements is available to meet the needs of children with disabilities, particularly those in the disproportionate group, for special education and related services.	<input type="checkbox"/> Yes <input type="checkbox"/> No
8*	In determining the educational placement of a child with a disability, including a preschool child with a disability, each district ensures that the placement decision is made by a group of persons including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.	<input type="checkbox"/> Yes <input type="checkbox"/> No
9*	The district ensures that placement discussions are based upon a completed IEP developed by the IEP team, focused on individualized student needs.	<input type="checkbox"/> Yes <input type="checkbox"/> No
10*	In determining LRE, the district ensures that consideration is given to any potential harmful effect on the child or on the quality of services needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11*	The district ensures that a child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12*	The district ensures that the removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability is such that the education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13*	The district's policies, practices, and procedures support the return of students placed in a separate class or facility to a general education environment.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14*	The district's policies, practices and procedures incorporate the provisions of supports in the general education environment for students returning from a separate class or facility.	<input type="checkbox"/> Yes <input type="checkbox"/> No
15*	The district ensures that IEP Teams review the students' progress at least annually to determine appropriate placement and progress towards annual goals.	<input type="checkbox"/> Yes <input type="checkbox"/> No

*Compliance item.



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District Response: If you answered “No” to any items above, provide explanation or relevant information:

State compliance review notes and items with potential findings of noncompliance:



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General Notes

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